## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:07-cr-271-FDW-1

UNITED STATES OF AMERICA,	) ) )
vs.	ORDER )
ERRICK REDMOND,	)
Defendant.	) ) )

THIS MATTER is before the Court following the Fourth Circuit's order remanding this case for the limited purpose of resentencing. (Doc. No. 63). The parties jointly filed a motion for partial remand on October 26, 2010, and the Fourth Circuit granted this motion on November 5, 2010. Defendant was originally sentenced to twenty-two (22) months for two counts of wire fraud in violation of 18 U.S.C. § 3443. Defendant reported to the Bureau of Prisons on June 14, 2010, and has been incarcerated since that time. In the parties' joint motion to the Fourth Circuit, the United States conceded that the sentencing range should have been zero to six months.

In light of the Fourth Circuit's order and the parties joint motion, the Court VACATES the judgment and commitment as to Defendant Errick Redmond (Doc. No. 52) and ORDERS the immediate release of the Defendant on presentence bond. The Court will impose the same terms and conditions of release as previously set forth, and within seventy-two (72) hours of release, Defendant is DIRECTED to report to the U.S. Probation Office in the Western District of North Carolina. The Court will schedule this matter for a resentencing as soon as practically possible.

The Clerk is directed to certify copies of this Order to the Federal Bureau of Prisons, U.S.

Probation Office, the U.S. Marshals Service, the United States Attorney's Office, Defendant's counsel, and the Fourth Circuit case manager.

IT IS SO ORDERED.

Signed: November 9, 2010

Frank D. Whitney

United States District Judge